

REMARKS

This amendment is filed together with a Request for Continued Examination and a petition for extension of time (1 month) in which to respond.

Claims 1-32 remain pending in the application with the present amendments. Claims 22-32 currently stand withdrawn from consideration.

In the final Office Action, claims 1-5, 7, 8, 10, 12-18, 20 and 21 were rejected under 35 U.S.C. § 102 as assertedly unpatentable over U.S. Patent 6,441,481 to Karpman ("Karpman"). The remaining claims were rejected under 35 U.S.C. § 103 as assertedly unpatentable over Karpman or over the combination of Karpman in view of U.S. Patent 6,309,910 to Haba et al. ("Haba '910"). For the reasons set forth below, applicants respectfully submit that the presently pending claims overcome the prior rejections. Reconsideration and allowance of the application as amended herein is respectfully requested.

As best understood, the rejections in the final Office Action are based on equating the "spaced-apart caps" in claim 1 with the glass frits 22 which are seen extending from the wafer surface in sectional view of Karpman (FIG. 7) and are further seen surrounding the microstructure 12 in the top plan view (FIG. 6). (final Office Action, p. 2) The final Office Action also equates the claimed process of simultaneously mounting a terminal-bearing element to the plurality of spaced-apart caps with Karpman's process of mounting a cap wafer 20 with circuitry 30 thereon to the glass frits 22. (Fig. 8, col.5 11.9-22). The final Office Action asserts that "cap" does not recite any structural limitations other than "projecting upwardly from the main surface" and "defining a plurality of channels between the caps". (final Office Action, p.7)

As amended herein, claim 1 now more specifically recites the structure of the wafer and the function of the caps

in a way which removes any previous ambiguity above the location and function of the caps.

As recited in claim 1, the wafer has a plurality of individual spaced-apart active areas, as seen for example in active areas 20a, 20b (Figs. 2-3). Now, in addition to the requirement of "the spaced-apart caps defining a plurality of channels between the caps", claim 1 now recites that the channels are "between adjacent ones of the spaced-apart active areas and between adjacent ones of the caps." Moreover, the caps are arranged with "each spaced-apart cap covering and protecting a respective active area of the wafer". Thus, as illustrated, for example, in Fig. 3, each cap 14 covers and protects an individual spaced-apart active area 20a or 20b.

To this pre-existing structure, terminals of a terminal bearing element are mounted to the plurality of spaced-apart caps, as described, for example, at ¶[0034] of the specification. (Cl. 1(a)). The terminals are then electrically connected to the contacts on the wafer (Cl. 1(b)).

Karpman does not teach the method as now recited in claim 1. The microstructures 12 are the only element described in *Karpman* which could correspond with a "plurality of spaced-apart individual active areas". As seen in the plan view of Fig. 6 and in the corresponding sectional view (Fig. 7) of *Karpman*, the glass frits 22 surround the microstructures 12 but they do not cover and protect the microstructures 12.

Therefore, the frits 22 of *Karpman* do not correspond to claim 1's requirement of "each spaced-apart cap covering and protecting a respective active area of the wafer".

No other reference is cited in the final Office Action as teaching this element. *Haba '910* is not cited to reject claim 1 and is not cited as teaching this feature of claim 1. Accordingly, claim 1 and all claims which depend, directly or

indirectly, therefrom is fully distinguished from the cited references.

Similar to claim 1, as recited in claim 13, the initial element includes a portion of a wafer having "a plurality of individual spaced-apart active areas" and "structure covering and protecting individual spaced-apart active areas of the wafer". To that structure, a terminal-bearing element is mounted. In *Karpman* (Figs. 6-7), the glass frits 22 surround the microstructures 12 but they do not cover and protect the microstructures 12. Therefore, the frits 22 of *Karpman* do not correspond to claim 1's requirement of "structure covering and protecting individual spaced-apart active areas of the wafer". No other reference is cited in the final Office Action as teaching this feature. Thus, claim 13, and all claims which depend therefrom are also fully distinguished from the cited references.

Support for the present amendments is provided as discussed above.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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